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PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of	:	**Confirmation No. 2565**
Mitsuaki OSHIMA	:	Attorney Docket No. 2003_1571
Serial No. 10/694,343	:	Group Art Unit 2611
Filed October 28, 2003	:	Examiner Phuong M. Phu
A TELEPHONE FOR TRANSMITTING AN UPLINK SIGNAL TO A BASE STATION AND FOR RECEIVING FIRST AND SECOND DOWNLINK SIGNALS FROM THE BASE STATION, AND A BASE STATION FOR RECEIVING AN UPLINK SIGNAL FROM A TELEPHONE AND TRANSMITTING FIRST AND SECOND DOWNLINK SIGNALS TO THE TELEPHONE (AS AMENDED)	:	**Mail Stop: AF** **RESPONSE UNDER 37.CFR.116** **EXPEDITED PROCEDURE** **EXAMINING GROUP** 2611

TERMINAL DISCLAIMER UNDER 37 CFR 1.321

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED TO CHARGE ANY DEFICIENCY IN THE FEES FOR THIS PAPER TO DEPOSIT ACCOUNT NO. 23-0975

Sir:

The owner, Matsushita Electric Industrial Co., Ltd., of 100% interest in the instant application, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 USC 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/695,780, filed October 30, 2003. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon grantee, its successors or assigns.

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In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims cancelled by a reexamination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

__ The undersigned is empowered to act on behalf of the organization.

X The undersigned is an attorney of record.

November 16, 2007 By: _____
Jeffrey R. Filipek , Reg. No. 41,471

Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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